

Notice of Allowability**Application No.**

10/525,855

Applicant(s)

KOMAGAMINE ET AL.

Examiner

Dov Popovici

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 08/16/2008.
2. ☒ The allowed claim(s) is/are 2-3, 5, 7, 9-10, 12, 14, 15, 17, 18 and 21, renumbered as claims 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 07/21/2008
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20081124.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Dov Popovici/
Primary Examiner, Art Unit 2625

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter B. Martine (Reg. No. 32,043) on 11/24/2008.

The application has been amended as follows:

In the claims:

In claim 2, line 27, after the recitation of "the required", change "print" to --printing--.

In claim 9, line 24, after the recitation of "the required", change "print" to --printing--.

In claim 15, line 25, after the recitation of "required", change "print" to --printing--.

In claim 17, line 4, after the recitation of "printing", insert --by a printer--.

In claim 17, line 31, after the recitation of "the required", change "print" to --printing--.

In claim 18, line 4, after the recitation of "printing", insert --by a printer--.

In claim 18, line 11, after the recitation of "a printer to be used", delete "based".

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In claim 18, line 32, after the recitation of "the required", change "print" to --printing--.

In claim 21, line 38, after the recitation of "generates", delete "the".

In claim 21, line 39, after the recitation of "the required", change "print" to --printing--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The closest prior art of record, namely, Hower, Jr. et al. (U.S. Patent No. 5,467,434) and/or Sasaki (U.S. Patent No. 5,228,118) do not disclose, teach or suggest, a formatted print list creation unit that extracts only formatted prints containing required printing conditions executable by the printer used for printing out of a plurality of formatted prints that is respectively composed of required printing conditions and optional printing conditions, and displays a list of the extracted formatted prints on a display; a print condition setup unit that sets the optional printing conditions of the formatted print selected from the list within a range of capability of the printer used for printing by referring to the printer capability data of the model that is acquired by the printer acquiring unit; and a printer driver that allows the printer used for printing to perform printing under the required printing conditions of the formatted print selected from the list and the optional printing conditions set by the print condition setup unit, as claimed in independent claim 2.

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Independent claim 9, 15, 17, 18 and 21 recite the same and/or similar claim limitations as recited in independent claim 2 above. Therefore, independent claims 9, 15, 17, 18 and 21 are found to be allowable, over the closest prior art of record mentioned above, for the same and/or similar reasons as stated above in independent claim 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dov Popovici whose telephone number is 571-272-4083. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dov Popovici/
Primary Examiner, Art Unit 2625